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**Amherst Conservation Commission**

**Conservation Land Use Policy**

**Preliminary Recommendations for Agricultural Use of Conservation Land**

The Amherst Conservation Commission (the Commission) is developing a Land Use Policy for properties under the care and control of the Commission (Conservation land). The Conservation Land Use Policy will address a variety of topics related to the use and management of Conservation land, including but not limited to agriculture, hunting, commercial activities, active recreation, boating, camping, dogs, and research projects. The first issue that the Commission chose to address as part of this process is the use of Conservation land for agricultural purposes.

This document represents the Commission's preliminary recommendations regarding use of Conservation land for agricultural purposes. The Commission has discussed these issues at length at its regular meetings in 2010 and 2011, but these recommendations have not yet been formally adopted. **The Commission invites the public to provide input on these recommendations at its April 27, 2011 regular meeting. The Commission will vote on the recommendations following discussion. Please see below for additional details about meeting time and location.**

Please note that these recommendations are intended as general policy guidelines for all Amherst Conservation land and the final recommendations will be incorporated into the overall Conservation Land Use Policy. The final recommendations will also inform a future Request for Proposals (RFP) process that the Commission intends to initiate in fall 2011 to grant licenses for agricultural uses at specific Conservation properties. The parcels to be included in the RFP and the specific terms of the RFP have not been finalized. The RFP is mentioned in several of the recommendations below as the Commission recognizes that certain issues related to the agricultural use of Conservation land will be specific to the parcel under consideration. It is also recognized that provisions need to be allowed to waive these policies under certain emergency conditions.

**Meeting Details**

Date: Wednesday, April 27, 2011  
Time: 8:15 p.m.  
Location: Town Room, Amherst Town Hall

## **Recommendations for Agricultural Use of Amherst Conservation Land**

- 1) **Hours of Operation** - Agricultural activities may occur sunup to sundown, as per all other Conservation Land. License holders shall contact the Director of Conservation & Planning if activities are required outside of normal hours of operation due to weather emergencies.
- 2) **Fencing** – The Commission is not opposed to fencing around agricultural activities, but notes that specific details will be site specific.
- 3) **Irrigation** - The Commission notes that irrigation issues and sources of irrigation water are site specific. An irrigation plan must be submitted in response to the RFP. The Commission shall have the right to review and restrict the irrigation use as necessary. Agricultural license holders shall implement practices to minimize irrigation needs. The Commission will develop a boilerplate form (online) for monitoring/reporting about irrigation practices to the Conservation Commission.
- 4) **Utilities** – No utilities are permitted on Conservation land except from those required for irrigation purposes or small solar-powered equipment.
- 5) **Practices to Promote Soil Conservation and Health** - Agricultural license holders shall implement practices to promote soil conservation and health. The Commission will require testing for any compost materials from outside sources proposed to be used at the site.
- 6) **Site Selection Conflicts** – The best use of each Conservation parcel shall be determined by the Conservation Commission. Only parcels not containing state or federally listed rare or endangered species or where agricultural activities will not impact wetland function or resource quality shall be considered for farm license. Other factors to be assessed include but are not limited to recreational use, community involvement, site history, access, and land donor's intent.
- 7) **Maintenance of Buffer Strips Along Waterways** – Vegetated buffers shall be maintained between agricultural uses and waterways/wetland resource areas. The size of the buffer will be site specific.
- 8) **Wetlands** – Agricultural license holders must comply with all provisions of the Massachusetts Wetlands Protection Act and the Town of Amherst Local Wetlands Bylaw. The Conservation Commission will perform wetland delineations on specific Conservation parcels to be included in the proposed RFP for agricultural licenses where applicable.
- 9) **Livestock** – Livestock is permitted on Conservation land used for agricultural purposes, on a site specific basis. Agricultural license holders keeping livestock on Conservation

land should implement best management practices including reasonable stocking limits and measures to prevent overgrazing.

- 10) **Use of Accessory Structures** - Permanent structures such as sheds, greenhouses, farm stands, etc. are not allowed on Conservation Land; however temporary structures such as high tunnels or hoop houses may be approved by the Conservation Commission on a case by case basis. The RFP for agricultural licenses may indicate if a structure is allowed on a specific parcel.
- 11) **Type of Crops** – The Commission will not require that particular crops or plants be planted on Conservation land; however the Commission will give preference to plantings that produce food, fiber, and/or energy, and that serve both financial and conservation interests. License holders may plant perennial crops at their own risk, i.e. these plantings will need to be removed at the end of the license period.
- 12) **Planting of Cover Crops** – The Commission strongly encourages the planting of cover crops in the off-season.
- 13) **Length of License** – Agricultural licenses will be offered in terms of one (1), three (3), or ten (10) years. Licenses may be renewed, and are revocable by the Commission at any time for good cause. Some portion (to be determined) of the licenses will be available for new farmers to be given short-term non-renewable licenses.
- 14) **Priority to Amherst Residents** – Amherst residents will get preference for licenses to conduct agricultural activities on Amherst Conservation land.
- 15) **Informational/Educational Signs** – Informational/education signage will be posted at parcels where agricultural licenses are granted. The signs will be provided by the Conservation Department to maintain consistency in style and message.
- 16) **Fees** – The Commission will set reasonable fees for use of Conservation land for agricultural purposes. ***Note: The proposed annual fee will be resolved at the Commission's April 13, 2011 meeting and will be voted on at the April 27, 2011 meeting.** Based on research conducted by Conservation Commissioner Dan Kaplan, other communities charge the following rates on an annual basis: \$25 to \$50/acre, \$125/acre, and \$300/acre.*
- 17) **Oversight and Reporting** – The Commission will develop a standard reporting form for agricultural license holders, to be submitted to the Commission on an annual basis. The form will require basic information on agricultural activities conducted in the past season.
- 18) **Liability and Insurance** – Per guidance from Town of Amherst legal counsel, agricultural license holders will require a \$1,000,000 liability insurance policy for agricultural activities on Conservation land.

- 19) **Access** – Every effort shall be made to allow public access to Conservation lands in agricultural use in ways that do not significantly interfere with farming practices.
- 20) **Measures to ensure that agricultural use does not adversely affect use of conservation land by wildlife or humans** – This recommendation will be added to the preamble of the section of the Conservation Land Use Policy dealing with agricultural uses as an overarching philosophy.
- 21) **Community Gardens and Agricultural Licenses** – Community gardens will be located in designated community garden locations only. Agricultural licenses are required for agricultural activities on Conservation land outside of the designated community gardens.
- 22) **Storage of Equipment** – No equipment shall be stored on Conservation land unless permitted by the Conservation Commission.
- 23) **Use of Pesticides and Fertilizers** – Farming practices on Conservation land are expected to meet the criteria of the National Organic Standards Act; exceptions require approval of the Conservation Commission.
- 24) **Commercial Activities/Direct Sales of Farm Goods** - Commercial activities are not permitted on any Conservation parcels that were acquired with MA Department of Conservation Services (DCS) Self-Help funding. Commercial activities on Conservation parcels not acquired with DCS funding will be considered on a case by case basis. In general, the Conservation Commission does not think commercial activities are consistent with Conservation values.